



EP 1615
5/Rev +
Power of
PATENT atty

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Bel
6-30-99

In re application of: Cefali, Eugenio A.

Application No.: 08/962027

Filed: October 31, 1997

Group No: 1615

Examiner: William Benston, Jr.

Title: INTERMEDIATE RELEASE NICOTINIC ACID COMPOSITIONS FOR
TREATING HYPERLIPIDEMIA HAVING UNIQUE CMAX, TMAX
AND AUC BIOPHARMACEUTICAL CHARACTERISTICS

RECEIVED

JUN 29 1999

TECH CENTER 1600/2900

CERTIFICATION UNDER 37 C.F.R. § 1.8(a)
I certify that, on the date shown below, this correspondence
is being deposited with the United States Postal Service in
an envelope addressed to the Assistant Commissioner for
Patents, Washington, D.C. 20231 with sufficient postage
as first class mail.

Date: 6-21, 1999

Jennifer Preuss
Signature

Name: Jennifer Preuss

ASSISTANT COMMISSIONER FOR PATENTS

Washington, D.C. 20231

**POWER OF ATTORNEY BY ASSIGNEE OF ENTIRE INTEREST
(REVOCATION OF PRIOR POWERS)**

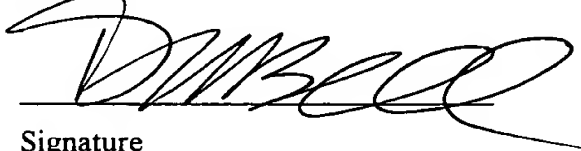
As Assignee of record of the entire interest of the above-identified patent application, all
powers of attorney previously given are hereby revoked, and the following attorney is hereby
appointed to prosecute and transact all business in the Patent and Trademark Office connected
therewith:

Peter J. Manso, Reg. No. 32,264
Akerman, Senterfitt & Eidson, P.A.
Attorneys at Law

Las Olas Centre, Suite 950
450 East Las Olas Boulevard
Fort Lauderdale, Florida 33301-2227
Telephone: 954-463-2700
Facsimile: 954-463-2224

Please send all correspondence and direct all telephone calls regarding this application to Peter J. Manso at the address and telephone number provided above.

Attached to this Power is a "Statement Under 37 C.F.R. §3.73(b)."

A handwritten signature in black ink, appearing to read 'P. Manso', written over a horizontal line.

Signature

Assignee: Kos Pharmaceuticals, Inc.

Title: President & CEO

Date: June 18, 1999



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Cefali, Eugenio A.
Application No.: 08/962027
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ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

**STATEMENT UNDER 37 C.F.R. § 3.73(b)--
ESTABLISHING RIGHT OF ASSIGNEE TO TAKE ACTION**

The Assignee of the entire right, title and interest hereby seeks to take action in the PTO in this matter.

I, the person signing below, state that I am empowered to sign this statement on behalf of the Assignee. Ownership by the Assignee is established by an assignment from the inventor(s) of the matter identified above, which was recorded in the PTO at Reel 9080, Frame 0471.

A copy of the assignment is attached to this Statement.

Signature

Assignee: Kos Pharmaceuticals, Inc.

Title: President & CEO



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

JUNE 03, 1998

PTAS

JENKENS & GILCHRIST, P.C.
PETER J. MANSO
1100 LOUISIANA, SUITE 1800
HOUSTON, TX 77002



100682819A

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 04/03/1998

REEL/FRAME: 9080/0471
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

CEFALI, EUGENIO A.

DOC DATE: 03/18/1998

ASSIGNEE:

KOS PHARMACEUTICALS, INC.
1001 SOUTH BAYSHORE DRIVE, SUITE 2502
MIAMI, FLORIDA 33131

SERIAL NUMBER: 08962027
PATENT NUMBER:

FILING DATE: 10/31/1997
ISSUE DATE:

MAURICE CARTER, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

PLEASE DOCKET

CLIENT # 32892.27
ATTY 2803/3041

dated 4/11

NPB
4-3-98

04-09-1998



100682819

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

EET

to the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Eugenio A. Cefali
5221 NW 78th Terrace
Lauderhill, FL 33351



Additional name(s) of conveying party(ies) attached? ☐ yes ☒ no

Nature of Conveyance:

- ☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other

Execution Date: March 18, 1998

2. Name and address of receiving party(ies):

Name: Kos Pharmaceuticals, Inc.

Internal Address: 1001 South Bayshore Drive, Suite 2502
Miami, Florida 33131

Street Address: 1001 South Bayshore Drive, Suite 2502

City Miami State FL ZIP 33131

Additional name(s) & address(es) attached? ☐ Yes ☒ No

Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s)

08/962,027

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

Name and address of party to whom correspondence concerning document should be mailed:

Name: Peter J. Manso

Internal Address: Jenkins & Gilchrist, P.C.
1100 Louisiana, Suite 1800

Street Address: 1100 Louisiana, Suite 1800

City: Houston State: Texas ZIP: 77002

Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41): \$ 40.00
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☒ Authorized to be charged to deposit account.*

*If check is not received with this correspondence or additional fees are required, please charge to deposit account 10-0447/32892.27PJM.

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(Attach duplicate copy of this page if paying by deposit account)

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Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

1998 VBROWN 00000022 08962027
581 40.00 OP

Peter J. Manso

Name of Person Signing

[Signature]
Signature

4/2/98
Date

Total number of pages comprising cover sheet: 1

CERTIFICATE OF MAILING 37 C.F.R. 1.10

I hereby certify that this document is being deposited with the United States Postal Service on this 2nd day of April, 1998, in an envelope as "Express Mail Post Office assee", Mailing Label No. EE507465869US, addressed to the Assistant Commissioner of Patents, Box Assignments, Washington, D.C. 20231.

Signature: [Signature]

Printed Name: PENNYE A. MOSES

ASSIGNMENT OF ENTIRE INTEREST

WHEREAS, I, the undersigned inventor, of residence as listed, having invented certain new and useful improvements as below entitled, for which application for United States Letters Patent is made, said application having been filed on the date set forth below; and

WHEREAS, KOS PHARMACEUTICALS, INC. (hereinafter referred to as "Assignee"), with an address of 1001 South Bayshore Drive, Suite 2502, Miami, Florida 33131, desires to acquire my entire right, title and interest in and to the invention, and in and to the said application and any Letters Patent that may issued thereon;

NOW, THEREFORE, for and in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, I assign to Assignee, all right, title and interest in and to said invention and in and to said application and all patents which may be granted therefor, and all divisions, reissues, continuations, continuations-in-part and extensions thereof; and I hereby authorize and request the Commissioner of Patents and Trademarks to issue all patents for said invention, or patents resulting therefrom, insofar as my interest is concerned, to Assignee.

I also assign to Assignee, all right, title and interest to the invention disclosed in said application throughout the world, including the right to file applications and obtain patents, utility models, industrial models and designs for said invention in its own name throughout the world including all rights to publish cautionary notices reserving ownership of said invention and all rights to register said invention in appropriate registries; and I further agree to execute any and all powers of attorney, applications, assignments, declarations, affidavits, and any other papers in connection therewith necessary to perfect such right title and interest in Assignee.

I will communicate to Assignee any facts known to me respecting any improvements; and, at the expense of Assignee, I will testify in any legal proceedings, sign all lawful papers, execute all divisional, continuation, continuation-in-part, reissue and substitute applications, make lawful oaths and declarations, and generally do everything possible to vest title in Assignee and to aid Assignee to obtain and enforce proper protection for said invention in all countries.

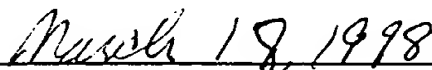
This Assignment shall be binding on the parties' successors, assigns and legal representatives.

Title of Invention: Intermediate Release Nicotinic Acid Compositions for Treating Hyperlipidemia Having Unique Cmax, Tmax and AUC Biopharmaceutical Characteristics
Serial No.: 08/962,027
Date Filed: October 31, 1997

Signature of Inventor:

Inventor's Name: Eugenio A. Cefali
Residence: 5221 NW 78th Terrace
Lauderhill, Florida 33351
Citizenship: USA

Date:



STATE OF FLORIDA

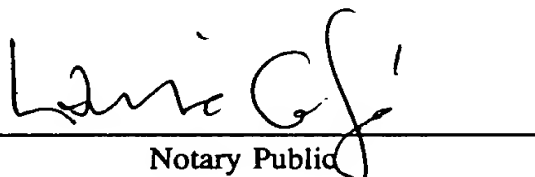
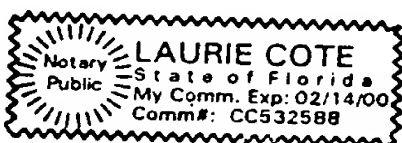
§

§

COUNTY OF BROWARD

§

BEFORE ME this 18th day of March, 1998, personally appeared EUGENIO A. CEFALI, known to me to be the person who is described and who executed the foregoing assignment instrument and acknowledged to me that he executed the same of his own free will for the purpose therein expressed.


Notary Public